

REMARKS

Claims 1-3, 5-8, 29, 31, 47-51 and 53-60 are pending. Claims 1, 54 and 57-59 have been amended. No new matter has been added.

I. Claims 1, 5-8, 53 and 59-60 are Allowable

The Office has rejected claims 1, 5-8, 53 and 59-60, at page 2 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent Application Publication No. 2003/0039242 ("Moore") in view of U.S. Patent No. 6,993,363 ("Hsu") and further in view of U.S. Patent Application Publication No. 2004/0259544 ("Amos"). Applicant respectfully traverses the rejections.

A. Claims 1, 5-8 and 53

The cited portions of Moore, Hsu and Amos do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Hsu and Amos do not disclose a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, where calls addressed to a mobile communication device via a mobile telephony network are forwarded to the mobile communication device via the wireless network base station associated with a landline telephone while the wireless network base station periodically receives the session continuation request, as in claim 1. The Office admits that Moore does not disclose the service request module configured to periodically send a session continuation request to a wireless network base station, as in claim 1. *See* Office Action, p. 4. The Office asserts that column 5, lines 10-24 of Hsu discloses this feature. *See* Office Action, p. 4.

In contrast to claim 1, Hsu discloses a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes a number of mobile switching centers (MSCs). *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations, which the MSC controls. *See* Hsu, col. 4, lines 27-29. A base station controller controls the functions of a number of base stations and helps to manage how calls made by each mobile station (e.g., handset) are transferred from one serving base station to another. *See* Hsu, col. 4, lines 42-46. Thus, the messages sent by the mobile station of

Hsu are to the base station of the cellular telephone network rather than to a wireless network base station associated with a landline telephone, as in claim 1. In addition, Amos does not disclose this feature. Instead, Amos discloses a system and method for sending and receiving Voice-over-Internet Protocol (VoIP) data over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. Amos discloses a wireless handset that communicates via two different local area network protocols (802.11x and Bluetooth). *See* Amos, paragraphs [0015] and [0040]. However, the cited portions of Amos do not disclose a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, as in claim 1.

Claims 5-8 and 53 depend from claim 1, which Applicant has shown to be allowable. Hence, the cited portions of Moore, Hsu and Amos fail to disclose or suggest at least one element of each of claims 5-8 and 53. Accordingly, claims 5-8 and 53 are also allowable at least by virtue of their dependence from claim 1.

Further, the dependent claims include additional features that are not disclosed or suggested by the above-cited references. For example, the cited portions of Moore, Hsu and Amos do not disclose or suggest a voice conversion module that converts between voice communications and Voice over Internet Protocol (VoIP) data packets, and where a wireless network base station gives the VoIP data packets higher priority than other data packets, as in claim 53. Moore discloses data traffic that includes telephony data traffic and/or Internet protocol (IP) data traffic. *See* Moore, Abstract. However, the cited portions of Moore do not disclose giving VoIP data packets higher priority than other data packets, as in claim 53. Hsu discloses a wireless monitor tool for use with a cellular telephone network. *See* Hsu, Abstract. Amos discloses a system and method for sending and receiving Voice-over-Internet Protocol (VoIP) over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. Thus, the cited portions of Amos do not disclose giving VoIP data packets higher priority than other data packets, as in claim 53. Hence, claim 53 is allowable for at least this additional reason.

B. Claims 59-60

The cited portions of Moore, Hsu and Amos do not disclose or suggest the specific combination of claim 59. For example, the cited portions of Moore, Hsu and Amos do not disclose or suggest mobile telephony circuitry configured to communicate with a mobile telephony network using a mobile communication protocol and a service request module configured to determine proximity to a wireless network base station associated with a landline telephone, and to establish a communication path via the wireless data network protocol, and a power supply controller adapted to power down the service request module when the mobile communication device is not in proximity to the wireless network base station, and a voice conversion module configured to convert between voice communication and data packets to be communicated using the wireless data network protocol with the wireless network base station, as in claim 59.

Moore discloses data traffic that includes telephony data traffic and/or Internet protocol (IP) data traffic. *See* Moore, Abstract. However, the cited portions of Moore do not disclose a service request module configured to determine proximity to a wireless network base station associated with a landline telephone, as in claim 59. Further, Hsu does not disclose this feature. Instead, Hsu discloses a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. A base station controller controls the functions of a number of base stations and helps to manage how calls made by each mobile station (e.g., handset) are transferred from one serving base station to another. *See* Hsu, col. 4, lines 42-46. Thus, the messages sent by the mobile station of Hsu are to the base station of the cellular telephone network rather than to a wireless network base station associated with a landline telephone. The cited portions of Amos also do not disclose or suggest this element of claim 59. Amos discloses that the wireless handset may utilize a power save mode available under the IEEE 802.11x standard. *See* Amos, paragraph [0009]. In the power save mode, the wireless handset may indicate its desire to enter a “sleep” state to an access point. *See* Amos, paragraph [0009]. In the sleep state, an 802.11x transmitter of the wireless handset may turn off for a period of time, and turn back on at predetermined times to receive data that has been buffered at the access point. *See* Amos, paragraphs [0009] and [0040]. Therefore, the cited portions of the above-cited references fail to disclose or suggest at least one element of claim 59. Hence, claim 59 is allowable.

Claim 60 depends from claim 59, which Applicant has shown to be allowable. Hence, the cited portions of Moore, Hsu and Amos fail to disclose at least one element of claim 60. Accordingly, claim 60 is also allowable at least by virtue of its dependence from claim 59.

II. Claims 2 and 3 are Allowable

The Office has rejected claims 2 and 3, at page 6 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Hsu, Amos and further in view of U.S. Patent No. 5,920,815 ("Akhavan"). Applicant respectfully traverses the rejections.

Claims 2 and 3 depend from claim 1. As discussed above, the cited portions of Moore, Hsu and Amos fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Hsu and Amos do not disclose a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, where calls addressed to a mobile communication device via a mobile telephony network are forwarded to the mobile communication device via the wireless network base station while the wireless network base station periodically receives the session continuation request, as in claim 1. The cited portions of Akhavan also do not disclose or suggest this element of claim 1. Rather, Akhavan discloses a Personal Communication System (PCS) using a Personal Phone Number (PPN) associated with each portable subscriber station. *See* Akhavan, Abstract. Akhavan discloses that the hand set monitors the existence of communications between it and the base station and, automatically reactivates the cellular mode function when it determines that communications no longer exist with the base station. *See* Akhavan, col. 19, lines 48-59. The cited portions of Akhavan do not disclose or suggest a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, where calls addressed to a mobile communication device via a mobile telephony network are forwarded to the mobile communication device via the wireless network base station while the wireless network base station periodically receives the session continuation request, as in claim 1. Hence, the cited portions of Moore, Hsu, Amos and Akhavan fail to disclose or suggest at least one element of claim 1. Accordingly, claims 2 and 3 are allowable, at least by virtue of their dependence from claim 1.

III. Claims 29 and 31 are Allowable

The Office has rejected claims 29 and 31, at page 8 of the Final Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Hsu, Amos and further in view of U.S. Patent Application Publication No. 2003/0133421 ("Sundar"). Applicant respectfully traverses the rejections.

Claims 29 and 31 depend from claim 1. As discussed above, the cited portions of Moore, Hsu and Amos fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Hsu and Amos do not disclose a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, where calls addressed to a mobile communication device via a mobile telephony network are forwarded to the mobile communication device via the wireless network base station while the wireless network base station periodically receives the session continuation request, as in claim 1. The cited portions of Sundar also do not disclose or suggest this element of claim 1. Instead, Sundar discloses a gateway mobile switching center (GMSC) switch simultaneously acts as a serving MSC for WLAN voice traffic. *See* Sundar, paragraph [0051]. Accordingly, claims 29 and 31 are allowable, at least by virtue of their dependence from claim 1.

Further, claims 29 and 31 include additional features that are not disclosed by the cited portions of the cited references. For example, the Office admits that Moore, Hsu and Amos do not disclose or suggest a wireless network base station configured to send a call control message to a registration system associated with the mobile telephony network via a modem, as in claim 29. *See* Office Action, page 8. The Office asserts that paragraph [0052] of Sundar discloses this feature. *See* Office Action, page 8. In contrast to claim 29, Sundar discloses a gateway mobile switching center (GMSC) switch of a WWAN that with modifications to a WLAN client can provide the logic necessary for unification so that the GMSC simultaneously acts as a serving MSC for WLAN voice traffic. *See* Sundar, paragraph [0051]. Thus, the cited portions of Sundar do not disclose or suggest a wireless network base station configured to send a call control message to a registration system associated with the mobile telephony network via a modem, as in claim 29. Hence, claim 29 is allowable for at least this additional reason.

IV. Claim 47 is Allowable

The Office has rejected claim 47, at page 9 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Hsu, Amos, Akhavan and further in view of U.S. Patent No. 6,091,948 ("Carr"). Applicant respectfully traverses the rejection.

Claim 47 depends from claim 1. As discussed above, the cited portions of Moore, Hsu, Amos, and Akhavan do not disclose the specific combination of claim 1. For example, the cited portions of Moore, Hsu and Amos do not disclose a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, where calls addressed to a mobile communication device via a mobile telephony network are forwarded to the mobile communication device via the wireless network base station while the wireless network base station periodically receives the session continuation request, as in claim 1. The cited portions of Carr also do not disclose or suggest this element of claim 1. Instead, Carr discloses a call forwarding automation feature in a wireless telephone. *See Carr, Abstract*. Accordingly, claim 47 is allowable, at least by virtue of its dependence from claim 1.

Further, claim 47 includes additional features that are not disclosed by the cited portions of the cited references. For example, the Office admits that Moore, Hsu, Amos and Akhavan do not disclose or suggest that a user turns off the mobile communication device after redirection of calls is established and that the user is queried whether to continue redirection of calls, as in claim 47. *See Office Action, page 9*. The Office asserts that col. 10, lines 11-29 of Carr discloses this feature. *See Office Action, page 9*. In contrast to claim 47, Carr discloses a call forwarding automation feature in a wireless telephone that provides automatic activation and deactivation of call forwarding. *See Carr, Abstract*. Thus, the cited portions of Carr do not disclose or suggest a user turns off the mobile communication device after redirection of calls is established and that the user is queried whether to continue redirection of calls, as in claim 47. Hence, claim 47 is allowable for at least this additional reason.

V. Claim 48 is Allowable

The Office has rejected claim 48, at page 10 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Hsu, Amos and further in view of U.S. Patent No. 6,708,028 (“Byrne”). Applicant respectfully traverses the rejection.

Claim 48 depends from claim 1. As discussed above, the cited portions of Moore, Hsu and Amos do not disclose the specific combination of claim 1. As discussed above, the cited portions of Moore, Hsu, Amos, and Akhavan do not disclose the specific combination of claim 1. For example, the cited portions of Moore, Hsu and Amos do not disclose a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, where calls addressed to a mobile communication device via a mobile telephony network are forwarded to the mobile communication device via the wireless network base station while the wireless network base station periodically receives the session continuation request, as in claim 1. The cited portions of Byrne also do not disclose or suggest this element of claim 1. Instead, Byrne discloses a radio telephone capable of being operated in more than one radio telephone system. *See* Byrne, Abstract. Accordingly, claim 48 is allowable, at least by virtue of its dependence from claim 1.

Further, claim 48 includes additional features that are not disclosed by the cited portions of the cited references. For example, the Office admits that Moore, Hsu and Amos fail to disclose or suggest that a user attempting to place a call using the mobile communication device is prompted to select between placing the call via the mobile telephony network or via the wireless network base station, as in claim 48. *See* Office Action, page 10. The Office asserts that col. 2, lines 34-39 of Byrne discloses this feature. *See* Office Action, page 10. In contrast to claim 48, Byrne discloses a radio telephone capable of being operated in more than one radio telephone system. *See* Byrne, Abstract. The radio telephone handset of Byrne monitors both a cellular network and a cordless system for incoming calls. *See* Byrne, col. 2, lines 26-34. Thus, the cited portions of Byrne do not disclose or suggest that a user attempting to place a call using the mobile communication device is prompted to select between placing the call via the mobile telephony network or via the wireless network base station, as in claim 48. Hence, claim 48 is allowable for at least this additional reason.

VI. Claims 49-51 are Allowable

The Office has rejected claims 49-51, at page 11 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Hsu, Amos and further in view of U.S. Patent No. 6,950,675 ("Wilhelm"). Applicant respectfully traverses the rejections.

Claims 49-51 depend from claim 1. As discussed above, the cited portions of Moore, Hsu and Amos do not disclose the specific combination of claim 1. Wilhelm does not disclose the features not disclosed by the cited portions of Moore, Hsu and Amos. In contrast to claim 1, Wilhelm discloses a radio communication system in which at least one base station contains a transceiver to transmit and receive by various radio transmission modes. *See* Wilhelm, Abstract. A subscriber terminal transmits an identification code to the base station. *See* Wilhelm, col. 6, lines 58-61. The identification code indicates a preferred radio transmission mode. *See* Wilhelm, col. 6, lines 58-67. Thus, the cited portions of Wilhelm do not disclose or suggest a service request module configured to periodically send a session continuation request to a wireless network base station associated with a landline telephone, as in claim 1. Accordingly, claims 49-51 are allowable, at least by virtue of their dependence from claim 1.

VII. Claims 54-56 are Allowable

The Office has rejected claims 54-56, at page 12 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Hsu, and further in view of U.S. Patent Application Publication No. 2004/0259544 ("Balogh"). Applicant respectfully traverses the rejections.

The cited portions of Moore, Hsu and Balogh do not disclose or suggest the specific combination of claim 54. For example, the Office admits that Moore does not disclose to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, to establish a communication path with the wireless network base station via a wireless data network protocol when the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, and to periodically send a session continuation request to the wireless network base station associated with the landline telephone after the communication path is established to maintain the communication path, as in claim 54. The Office asserts that column 5, lines 10-24 of Hsu discloses this feature. *See* Office Action, p. 13. In contrast to claim 54, Hsu discloses a cellular

telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes a number of mobile switching centers (MSCs). *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations, which the MSC controls. *See* Hsu, col. 4, lines 27-29. A base station controller controls the functions of a number of base stations and helps to manage how calls made by each mobile station (e.g., handset) are transferred from one serving base station to another. *See* Hsu, col. 4, lines 42-46. Thus, the messages sent by the mobile station of Hsu are to the base station of the cellular telephone network rather than to a wireless network base station associated with a landline telephone, as in claim 54.

Further, the Office admits that Moore and Hsu do not disclose or suggest to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone and to establish a communication path with the wireless network base station via a wireless data network protocol when the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, as in claim 54. The Office asserts that Fig. 4 and paragraphs [0039] to [0045] disclose this feature. *See* Office Action, page 14. Instead, Balogh discloses a first and second access point of a wireless communication system. *See* Balogh, Abstract. The first and second access points with the best connection attributes of the available access points of different networks are selected. One or more connection attributes of the first access point and second access point are compared. The connection to the second access point is established if the differences between the compared connection attributes fulfill pre-determined conditions. *See* Balogh, Abstract. However, Balogh does not disclose or suggest to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone and to establish a communication path with the wireless network base station via a wireless data network protocol when the wireless network base station is a pre-determined wireless network base station associated with the landline telephone, as in claim 54. Thus, the cited portions of Moore, Hsu and Balogh, separately or in combination, fail to disclose or suggest at least one element of claim 54. Hence, claim 54 is allowable.

Claims 55 and 56 depend from claim 54, which Applicant has shown to be allowable. Hence, the cited portions of Moore, Hsu and Balogh fail to disclose or suggest at least one

element of each of claims 55 and 56. Accordingly, claims 55 and 56 are also allowable at least by virtue of their dependence from claim 54.

VIII. Claim 57 is Allowable

The Office has rejected claim 57, at page 15 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Amos, and Balogh and in view of Wilhelm. Applicant respectfully traverses the rejection.

Claim 57 depends from claim 54. As discussed above, the cited portions of Moore, Hsu and Balogh do not disclose the specific combination of claim 54. Wilhelm does not disclose the features not disclosed by the cited portions of Moore, Hsu and Balogh. In contrast to claim 54, Wilhelm discloses a radio communication system in which at least one base station contains a transceiver to transmit and receive by various radio transmission modes. *See* Wilhelm, Abstract. A subscriber terminal transmits an identification code to the base station. *See* Wilhelm, col. 6, lines 58-61. The identification code indicates a preferred radio transmission mode. *See* Wilhelm, col. 6, lines 58-67. Thus, the cited portions of Wilhelm do not disclose or suggest to periodically send a session continuation request to the wireless network base station associated with the landline telephone, as in claim 54. Accordingly, claim 57 is allowable, at least by virtue of its dependence from claim 54.

Further, claim 57 includes additional features that are not disclosed by the cited portions of the cited references. For example, the Office admits that Moore, Amos and Balogh do not disclose or suggest that a service request module is adapted to receive a home portal identification of the wireless network base station to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, as in claim 57. The Office asserts that col. 7, lines 18-25 of Wilhelm discloses this feature. *See* Office Action, page 15. Instead, the cited portions of Wilhelm disclose a radio communication system in which at least one base station contains a transceiver to transmit and receive by various radio transmission modes. *See* Wilhelm, Abstract. A subscriber terminal transmits an identification code to the base station. *See* Wilhelm, col. 6, lines 58-61. The identification code indicates a preferred radio transmission mode. *See* Wilhelm, col. 6, lines 58-67. Thus, Wilhelm discloses sending an identification of a preferred radio mode from a

subscriber station to a base station. However, the cited portions of Wilhelm fail to disclose service request module is adapted to receive a home portal identification of the wireless network base station to determine whether the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, as in claim 57. Hence, claim 57 is allowable for this additional reason.

IX. Claims 58 is Allowable

The Office has rejected claim 58, at page 16 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Amos and Balogh, in view of Byrne. Applicant respectfully traverses the rejections.

Claim 58 depends from claim 54. As discussed above, the cited portions of Moore, Hsu and Balogh do not disclose the specific combination of claim 54. Wilhelm does not disclose the features not disclosed by the cited portions of Moore, Hsu and Byrne. In contrast to claim 54, the cited portions of Byrne disclose a radio telephone capable of being operated in more than one radio telephone system. *See* Byrne, Abstract. The radio telephone handset of Byrne monitors both a cellular network and a cordless system for incoming calls. *See* Byrne, col. 2, lines 26-34. Thus, the cited portions of Byrne do not disclose or suggest to periodically send a session continuation request to the wireless network base station associated with the landline telephone, as in claim 54. Accordingly, claim 58 is allowable, at least by virtue of its dependence from claim 54.

Further, claim 58 includes additional features that are not disclosed by the cited portions of the cited references. For example, the Office admits that Moore, Amos and Balogh do not disclose or suggest that the service request module is adapted to prompt a user for an indication of whether to forward calls via the wireless network base station after determining that the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, as in claim 58. The Office asserts that col. 2, lines 34-39 of Byrne discloses this feature. *See* Office Action, page 16. Instead, the cited portions of Byrne disclose a radio telephone capable of being operated in more than one radio telephone system. *See* Byrne, Abstract. The radio telephone handset of Byrne monitors both a cellular network and a cordless

system for incoming calls. *See* Byrne, col. 2, lines 26-34. However, the cited portions of Byrne fail to disclose that the service request module is adapted to prompt a user for an indication of whether to forward calls via the wireless network base station after determining that the wireless network base station is a pre-determined wireless network base station associated with a landline telephone, as in claim 58. Hence, claim 58 is allowable for this additional reason.

CONCLUSION

Applicant has pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the cited references applied in the Office Action.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

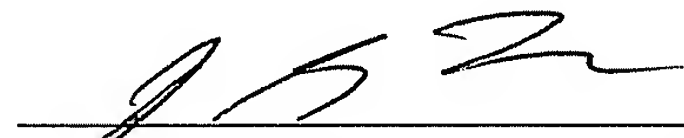
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

11-25-2008
Date


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